

EXHIBIT A

UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF MASSACHUSETTS

GABRIEL GARAVANIAN, et al.,)
Plaintiffs,)
v.) Case No.
JETBLUE AIRWAYS CORPORATION and) 1:23-cv-10678-WGY
SPIRIT AIRLINES, INC.,)
Defendants.)

REMOTE VIDEOTAPED DEPOSITION OF
SARA NELSON
June 20, 2023

Reported by: Rebecca A. Graziano, CSR, RMR, CRR
Texas CSR 9306
California CSR 14407
Illinois CSR 084.004659

1 instructs you not to answer, after he places his
2 objection on the record, you're able to go forward
3 and answer the question. Does that make sense?

4 A Yes.

5 Q Okay. And I know that we are all going to
6 be as efficient as possible with your time, but
7 even though we're going to go quick, let us know
8 if you need a break at any point. I'd just ask
9 that you not ask for a break while a question is
10 pending.

11 A Okay.

12 Q Is there any reason today why you can't
13 give complete and truthful testimony?

14 A No.

15 Q One thing I should have added in the
16 instructions piece is we are interested in getting
17 answers from you that are based on your personal
18 knowledge, so we're not interested in guessing or
19 speculation. If you don't know something, it's
20 okay to say you don't know.

21 A Okay.

22 Q Where are you employed, President Nelson?

23 A I am a flight attendant for United
24 Airlines. I am on the seniority list there. I do
25 not get my pay and benefits from United Airlines.

1 I get my pay and benefits from the union, the
2 Association of Flight Attendants-CWA, and that is
3 only the case for the top three officers of the
4 union.

5 Q And what is your role in the union?

6 A I'm the international president of our
7 union, so we represent 19 airlines, 50,000 flight
8 attendants.

9 Q And how long have you served as president
10 of the union?

11 A Since June 1st of 2014.

12 Q And did you have any role with the union
13 prior to becoming president?

14 A Prior to serving as president, I served
15 three and a half years as international vice
16 president of the union.

17 And in --

18 Q When did you -- I'm sorry. Go ahead.

19 A And in various local roles before that.

20 Q When did you join the union as a member?

21 A It was backdated to my training start
22 date, so August 24th, 1996.

23 Q And was August 1996 when you started as a
24 United flight attendant?

25 A Yes. That's when I started training. I

1 started -- I reported for my first flight
2 assignment on October 10th, '96.

3 Q Okay. And do you refer to the union as
4 AFA? I want to make sure that I use the right
5 terminology for today.

6 A Yes, AFA.

7 Q And does AFA represent flight attendants
8 at Spirit Airlines?

9 A We do.

10 Q And I believe you said there were 19
11 airlines total. What are some of the other
12 airlines that AFA represents flight attendants at?

13 A Thank you for not asking me all of them,
14 because on the spot, I will forget a few. But
15 United Airlines, Alaska Airlines, Frontier,
16 Spirit, Hawaiian, Endeavor Air, Envoy, Piedmont,
17 PSA, Silver, Norse, Horizon, Eastern, and Avelo.

18 I'm missing a few, I think.

19 Q Seems pretty close to 19.

20 A Okay.

21 Q Does AFA represent any other workers at
22 Spirit Airlines such as, like, gate agents or
23 other airlines workers?

24 A We're a craft-specific union, so we only
25 represent flight attendants.

1 representation.

2 Q And at some point, did AFA take a position
3 either in support or in opposition to the
4 JetBlue-Spirit merger?

5 A We did take a position in support of the
6 merger once we had nailed down all of the
7 protections that are required for our union. So
8 that -- in addition to the requirements that we
9 had demanded from Frontier. Because there was a
10 contract open at Spirit, we also demanded that the
11 Spirit contract negotiations come to a conclusion.

12 So we demanded our seniority
13 protections, we demanded protections around
14 contract bargaining in a post-merger environment,
15 and we demanded that there be a closeout of
16 contract negotiations at Spirit in the near term
17 before our support was gained.

18 MS. WRIGHT: Let's pull up Nelson
19 Tab 1, please.

20 (Nelson Exhibit 1 marked.)

21 BY MS. WRIGHT:

22 Q And, President Nelson, let us know if you
23 see this populate in your folder. It's -- or if
24 you're able to see it on the screen.

25 A Yeah. Yes, I can see it in both places,

1 AFA press release dated March 7th, 2023, and
2 entitled "This is the Antimerger Merger": AFA-CWA
3 Statement on DOJ Suit in JetBlue-Spirit Merger."

4 Are you familiar with this document?

5 A Yes.

6 Q And did you help prepare this statement?

7 A Yes.

8 Q And in this statement, is the AFA
9 expressing strong support for the merger?

10 A Yes.

11 Q So even after DOJ sued to block the
12 merger, AFA was continuing to support it?

13 A Yes. We did not agree with DOJ's position
14 on this.

15 Q Has AFA's position changed since March 7th
16 when it issued this statement?

17 A It has not.

18 Q In the third paragraph, it says -- let's
19 see -- '"Our union does not offer our support
20 lightly. We have experience with eight mergers in
21 the past decade and this is the first merger that
22 we enthusiastically support for these reasons.'"

23 You touched on this a little bit
24 earlier, but at a high level, why did AFA withhold
25 support for the prior mergers in the airline

1 A They are.

2 Q As part of what union are JetBlue's flight
3 attendants unionized?

4 A They are part of the Transport Workers
5 Union.

6 Q Is the Transport Workers Union also known
7 as TWU?

8 A Yes.

9 Q Do you have a sense of how many JetBlue
10 flight attendants are organized within TWU?

11 A I'm sorry. Can you ask the question
12 again?

13 Q Sure.

14 Do you have a sense as to how many
15 JetBlue flight attendants are organized within
16 TWU?

17 A It's approximately comparable to Spirit.

18 Q About 600 -- 6,000?

19 A Yes.

20 Q Do you have experience working with
21 JetBlue?

22 A Yes.

23 Q Have you represented flight attendants at
24 JetBlue?

25 A No.

1 make sure that she understands that?

2 BY MS. RIBLET:

3 Q Has AFA performed any legal analysis
4 informing its opinion of the JetBlue-Spirit
5 merger?

6 MR. MORSE: Again, same objection,
7 just, again, on privilege grounds.

8 MS. RIBLET: Are you instructing
9 your client not to answer at all?

10 MR. MORSE: Thanks. Thanks for the
11 clarification.

12 Yes, Ms. Nelson, all I'm
13 instructing you is that to the extent that
14 would call for any communications with
15 in-house counsel, that you cannot discuss
16 that. But outside of any discussions with
17 in-house counsel, you may answer the
18 question.

19 THE WITNESS: Yes.

20 BY MS. RIBLET:

21 Q Has AFA performed any economic analysis in
22 forming its opinion of the JetBlue-Spirit merger?

23 A Yes.

24 Q What was the substance of that analysis?

25 A This was -- well, this also was done

1 through my legal department, so...

2 MR. MORSE: So I would have the
3 same objection, then, on this question
4 that to the extent that it calls into
5 question any conversations you've had with
6 the legal department, that that's
7 privileged and you cannot answer that.
8 But you can answer to the extent that
9 these discussions would have been outside
10 of that context.

11 THE WITNESS: Okay. All of these
12 discussions were with my counsel.

13 BY MS. RIBLET:

14 Q Has AFA performed any analysis of fares
15 post-merger?

16 A No.

17 Q Has AFA performed any economic analysis
18 looking at the impact of this merger on consumers?

19 A No.

20 MS. RIBLET: I think, if we may, we
21 will just take a short break and see if we
22 have any last questions before coming back
23 on the record and perhaps asking, you
24 know, a limited brief set of additional
25 questions, if that works for everyone.